

**Remarks/Arguments**

Applicants thank the Examiner for the thorough examination given the present application. Claims 1-8 and 13-81 are pending in the present application. Claims 21, 27, 34, 35, 59-61, 65-69, and 74-81 have been amended. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth herein below.

**Allowable Subject Matter**

It is gratefully acknowledged that the Examiner has allowed the claims 23 and 29 in the outstanding Office Action in addition to previously allowed claim 33. It is further acknowledged that the subject matter of claims 60-63 are deemed allowable if rewritten in independent form.

**Acknowledgement of Information Disclosure Statements**

The Examiner is respectfully requested to acknowledge the three Information Disclosure Statements respectively filed on: November 15, 1999; February 15, 2000; and January 23, 2002. An initialed copy of each of the PTO-1449's should be sent to the undersigned at the earliest convenience of the Examiner.

**Rejections Under 35 U.S.C. 112**

Claims 34, 35, and 74-81 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Specifically, the Examiner asserts that the terms "in time sharing" and "parallel conversion" are unclear.

Initially, Applicants point out that neither of these phrases are found in claims 74 or claim 78. While Applicants do not concede the appropriateness of this rejection as to the other claims, Applicants have amended claims 34, 35, 75-77, and 79-81 to remove these allegedly vague terms. Applicants respectfully submit that these amendments do not narrow the scope of the claims. Furthermore, it is respectfully submitted that these amendments add no new subject matter of the application. For example, the replacement of "in time sharing" with "in sequence" is consistent with the Examiner's previously stated understanding in view of the disclosure in the originally filed specification. Thus, Applicants respectfully submit that these amendments are fully supported in the specification.

**Withdrawal of Claims**

In the Office Action, the Examiner indicated that the amendments to claims 59-69, 72 and 73 changed the claims to a non-

elected species. Thus, the Examiner withdrew these claims from consideration.

Applicants respectfully submit that independent claims 66-69 have been amended to incorporate subject matter indicated by the Examiner in the present Office Action as being allowable. In other words, claims 66-69 now include the allowable subject matter of dependent claim 60, which was indicated as allowable in the outstanding Office Action. (In view of the above claim amendments, claim 60 now depends upon claim 74, 75, 76, or 77.)

Accordingly, the subject matter of independent claims 66-69 now encompass subject matter that was fully examined and deemed allowable by the Examiner. Thus, Applicants respectfully request consideration and allowance of these claims.

Furthermore, it is submitted that claim 59 has been amended to be dependent on claim 74, 76, 77, 78, 80 or 81. Since all of claims 74, 76, 77, 78, 80, or 81 are presently under examination by the Examiner, it is respectfully submitted that claim 59 is now in condition to be examined and allowed.

Similarly, claims 61-63, 72 and 73 should be considered and allowed by the Examiner in view of their dependency allowable claims 66, 67, 68, or 69. As to claim 60, consideration is respectfully requested in view of the above claim amendment, which has placed this claim in an elected species (by virtue of its

dependency on claims 74, 75, 76, or 77). Applicants respectfully submit that claims 74-77 are allowable for reasons set forth below, and that claim 60 is, thus, allowable at least by virtue of being dependent on an allowable claim.

**Rejections Under 35 U.S.C. 102**

Claims 21, 22, 34, 35, 26-28, and 74-81 stand rejected under 35 U.S.C. 102(b) as being clearly anticipated by U.S. Patent 5,506,705 to Yamamoto et al. (hereinafter "Yamamoto"). Claims 21, 22, 26-28, 59, and 74-81 stand rejected under 35 U.S.C. 102(b) as being clearly anticipated by U.S. Patent 5,926,318 to Hebert et al. (hereinafter "Hebert"). Further, claims 21, 22, 26-28, 65, 70, 71, and 74-81 stand rejected under 35 U.S.C. 102(b) as being clearly anticipated by U.S. Patent 5,808,800 to Handschy et al. (hereinafter "Handschy"). Claims 21, 22, 26-28, 34, 35 and 74-81 stand rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent 6,227,669 to Tiao et al. (hereinafter "Tiao").

Initially, Applicants wish to point out that Hebert does not constitute prior art. Specifically, Applicants submit that the present application claims the priority date under 35 U.S.C. 119 of Japanese Patent Application No. HEI 10-78799, which was filed on March 26, 1998. Applicants further respectfully submit that an English translation of this priority application has been filed

concurrently herewith, along with a sworn statement that the translation is accurate. Since Hebert has a U.S. filing date of April 6, 1998, Applicants respectfully submit that Hebert does not constitute prior art with respect to the present application.

Similarly, Tiao does not constitute prior art in relation to the present application, because it claims a priority date of May 26, 1998, which is after the priority date of the present application (March 26, 1998). Accordingly, Applicants submit that the section 102 rejection under Tiao is improper.

Accordingly, withdrawal of the 102 rejections based on Hebert and Tiao is respectfully requested.

Further, Applicants respectfully traverse the rejection based on Yamamoto, insofar as it pertains to the presently pending claims. Independent claims 21, 27, 34 and 35 recite diodes emitting beams of different wavelengths in sequence. Yamamoto fails to disclose this feature.

Yamamoto's only disclosure of a diode light source is in the description of the prior art. Specifically, Yamamoto describes a prior art system utilizing a one-dimensional LED array that produces a one-dimensional pattern or image. There is no disclosure in Yamamoto that this prior art system displays an image through the sequential emission of different wavelengths. See Figure 17 and column 3, lines 7-26 of Yamamoto.

Yamamoto attempts to improve upon this prior art system by utilizing a single white light source (lamp) in conjunction with three color filters that operate in a sequential manner. Accordingly, Yamamoto teaches array from utilizing an LED array in favor of a single light source configuration.

Furthermore, independent claims 74-81 each recites a two-dimensional array of light sources. There is no disclosure in Yamamoto of a two-dimensional array of light sources with regard to his invention or the prior art.

As to the rejection based on Handschy, this rejection is respectfully traversed insofar as it pertains to the presently pending claims.

First, Applicants respectfully submits that claim 65 is dependent on independent claims 66 and 68, or 69. Since each of claims 66, 68 and 69 have been amended to incorporate subject matter indicated by the Examiner as allowable, Applicant respectfully submits that claim 65 is allowable at least by virtue of its dependency on any of these independent claims.

As to claims 70 and 71, Applicant respectfully submits that these claims are dependent on independent claim 34 or 35. Neither of these independent claims stands rejected under Handschy. Since the dependent claims incorporate the subject matter of the independent claims from which they depend, Applicant respectfully

submits that claims 70 and 71 are allowable at least by virtue of their dependency on claim 34 or 35.

As amended, independent claims 21 and 27 each recites diodes emitting beams of different wavelengths in sequence. Applicants respectfully submit there is no disclosure in Handschy of sequentially outputting beams of different wavelengths.

Further, independent claims 74-77 each recites a plurality of two-dimensional arrays of light sources, each array being configured to emit light of a different color with respect to other arrays. Claims 74-77 further recite that each light source within an array outputs light at nearly the same wavelength that corresponds to the color of the particular array. Handschy fails to disclose these features.

Instead, Handschy discloses a single two-dimensional array, which has one of the two following configurations: (1) a cluster of different colored light sources piled together; and (2) a two-dimensional array of light sources outputting the same wavelength to a switchable color filter. Neither of these embodiments meet both requirements of: (1) multiple two-dimensional arrays outputting different colors; and (2) each array being comprised of light sources outputting the same wavelength. Thus, Handschy fails to teach or suggest every feature in claims 74-77.

Independent claims 78-81 each recites a repeating set of light source arrays, where each light source is composed of a plurality of light sources outputting light of different wavelengths. As mentioned above, Handschy does not disclose either an array of light sources, all of which output of light of the same wavelength, or an array in which each light source outputs a different wavelength. Accordingly, Handschy does not disclose the features of claims 78-81.

#### Conclusion

Entry of this Amendment After Final is respectfully requested. In view of the above amendments and remarks, reconsideration of the rejections and allowance of all of the claims are respectfully requested.

Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason Rhodes (Registration No. 47,305) at the telephone number of the undersigned to conduct an interview in connection with the present application.

Pursuant to 37 C.F.R. § 1.17 and 1.136(a), Applicants respectfully petition a one (1) month extension of time for filing a response in connection with the present application. The required fee of \$110.00 is attached hereto.

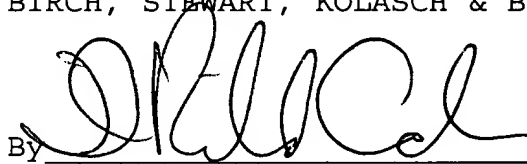


Appl. No. 09/423,817

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP



By \_\_\_\_\_  
D. Richard Anderson, #40,439

  
DRA/JWR/kss/jeb  
2565-0187P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000